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(MODIFIED) PTO/SB/30 (08-00)

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REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,
provides for continued examination of an utility or plant application
filed on or after June 8, 1995.
See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/871,174
Filing Date	31 May 2001
First Named Inventor	Mary Lucille DeLUCIA et al.
Group Art Unit	1733
Examiner Name	Rossi, J.
Attorney Docket Number	KCC-1146 (KCC-15,135)

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

a. ☒ Previously submitted

i. ☒ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on 03 February 2004
(Any unentered amendment(s) referred to above will be entered).

ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____

iii. ☐ Other _____

b. ☐ Enclosed

i. ☐ Amendment/Reply

ii. ☐ Affidavit(s)/Declarations

iii. ☐ Information Disclosure Statement (IDS)

iv. ☒ Other Petition for Extension of Time for Filing of Response Under Rule 1.136(a)

2. Miscellaneous

a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)

b. ☐ Other _____

3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 19-3550

i. ☐ RCE fee required under 37 C.F.R. § 1.17 (e)

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ii. ☐ Extension of time fee (37 C.F.R. § 1.136 and 1.17)

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iii. ☒ Other any deficiency in the enclosed fee

b. ☒ Check in the amount of \$770.00 and \$420.00 enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Eric T. Krischke	Registration No. (Attorney/Agent)	42,769
Signature	<i>Eric Krischke</i>	Date	<i>03 May 2004</i>

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
Mail Stop RCE, Comm. for Patents, PO Box 1450, Alexandria VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on: 05/03/04

Name (Print/Type)	Eric T. Krischke	Date	<i>03 May 2004</i>
Signature	<i>Eric Krischke</i>		

SEND FEES and completed forms to the following address: Mail Stop RCE, Commissioner for Patents, PO Box 1450, Alexandria VA 22313-1450

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